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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DON AMECHE RHEW,

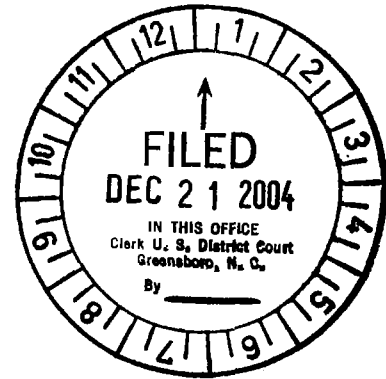
Petitioner,

v.

THEODIS BECK, Secretary of the
North Carolina Department of
Correction,

Respondent.

1:04CV00340



J U D G M E N T

For the reasons set out in an Order filed contemporaneously with this Judgment,

IT IS ORDERED AND ADJUDGED that the petition for habeas corpus (docket no. 1) is denied, that respondent's motion for summary judgment (docket no. 4) is granted, that petitioner's motion to grant habeas corpus (docket no. 10) is denied, that this action is dismissed, and that finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is denied.

December 21, 2004


United States District Judge